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Serial No. 10/801,273

Amend. In Resp. to Off. Act. Of Aug. 25, 2009

UTILITY PATENT

B&D No. JK01488A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jaime GARCIA et al.

Serial No.: 10/801,273

Examiner: E. Landrum

Filed: March 16, 2004

Group Art Unit: 3724

For: GREATER CAPACITY CUTTING SAW

Assistant Commissioner for Patents
Washington, DC 20231**RESPONSE TO OFFICE ACTION**

I, Adan Ayala, PTO Reg. No. 38,373, hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (571) 273-8300 on 11-24-09


Adan Ayala

Dear Sir:

This is in response to the Office action of August 25, 2009.

Currently in the above-identified application are Claims 1-7 and 34-35.

The Examiner objected to the drawings under 37 CFR § 1.83(a) for allegedly not showing the lower bearing called for in Claim 1. Applicants submit that the lower bearings are shown right above gear 654, as shown in the attached Exhibit A. Accordingly, this objection is improper.

The Examiner rejected Claims 1 4 and 6-7 under 35 USC § 103(a) as being unpatentable over US Patent No. 5,357,834 ("Ito") in view of US Patent No. 5,850,698 ("Hurn") and US Patent No. 2,340,312 ("Drake"). The Examiner also rejected Claims 2-3 and 34-36 under 35 USC § 103(a) as being unpatentable over Ito in view of Hurn/Drake, and further in view of US Patent No. 3,611,859 ("Avakian") or US Patent No. 2,925,104 ("Allemanann"). In addition, the Examiner rejected Claim 5 under 35 USC § 103(a) as being unpatentable over Ito and